

inactive passholders in any way. This essential fact is confirmed by the discovery of the "Po" to "Zy" portion of the WHOP list and the lists for other White House offices that also do not reflect such a distinction. Thus, any suggestion that Mr. Marceca could not have been using such a list because the Secret Service could not create such a list is unsupportable. Mr. Marceca had such a list and used it, without knowing that any particular individual was an active or inactive passholder.

**b. Analysis of Evidence Regarding Mr. Marceca's Use of the June 10, 1993 List.**

A comprehensive review and analysis of the vast amount of documentary, testimonial, and forensic evidence compiled by the OIC permitted a determination as to whether any patterns supporting or rebutting an inference of criminal intent could be discerned from Mr. Marceca's use of the June 10, 1993 list. Nothing in the way Mr. Marceca used that list suggests that he wilfully intended to obtain the background reports of individuals who he knew did not require access. Accordingly, there is no evidence regarding his use of the list that suggests Mr. Marceca was targeting specific individuals in order to obtain derogatory information.

The evidence regarding the use of the June 10, 1993 computer lists suggests instead that Mr. Marceca simply followed the procedures for the Update Project as he had been instructed by Ms. Gemmell. The comparison between the reconstructed June 10,